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FEB 05 2002

TECHNOLOGY CENTER 2800 *T2*

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DATE: February 5, 2002

TO: Assistant Commissioner for Patents

ATTN: Group Art Unit 2877

FAX NO.: (703) 872-9318

REF.: Preliminary Amendment Transmittal

U.S. Serial No. 09/976,549

Filed: October 12, 2001

For: ABSORPTION SPECTROSCOPY INSTRUMENT WITH
OFF-AXIS LIGHT INSERTION INTO CAVITY

Inventors: Joshua B. Paul et al.

Our ref: LGR-002

**THIS MESSAGE CONSISTS OF
THIS COVER SHEET PLUS 6 OTHER PAGES**

Following is a Preliminary Amendment for the above-identified patent application. A confirming copy will be mailed to the Patent Office.

Certificate of Facsimile Transmittal

I hereby certify that this paper (along with any other paper referred to as being attached or enclosed) is being facsimile transmitted on the date shown below to:
Assistant Commissioner for Patents, Attn: Group Art Unit 2877, Washington, D.C. 20231.

Date: February 5, 2002

Sally Azevedo
Sally Azevedo

Practitioner's Docket No. LGR-002

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joshua B. Paul et al.

Serial No.: 0 9 / 976,549 Group No.: 2877

Filed: October 12, 2001 Examiner:

For: ABSORPTION SPECTROSCOPY INSTRUMENT WITH
OFF-AXIS LIGHT INSERTION INTO CAVITY

Assistant Commissioner for Patents
Washington, D.C. 20231

**PRELIMINARY
AMENDMENT TRANSMITTAL**

FAX COPY RECEIVED

FEB 05 2002

1. Transmitted herewith is an amendment for this application.

TECHNOLOGY CENTER 2800

STATUS

2. Applicant is (Applicant claims small entity status
See 37 CFR 1.27)
☒ a small entity. A verified statement:
☐ is attached.
☐ was already filed.
☐ other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.3(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING
Confirming copy
☒ deposited with the United States Postal
Service with sufficient postage as first class
mail, in an envelope addressed to the
Assistant Commissioner for Patents,
Washington, D.C. 20231.

FACSIMILE
☒ transmitted by facsimile to the
Patent and Trademark Office.
Facsimile No.: 1703/872-9318

Date: February 5, 2002

Sally Azevedo
Signature
Sally Azevedo
(Type or print name of person certifying)

(Amendment Transmittal [8-18]—page 1 of 4)

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. 1.645 for extensions of time in interference proceedings, and 37 C.F.R. 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$1,510.00	\$ 755.00

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(Amendment Transmittal [9-19]—page 2 of 4)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL * 40	MINUS ** 40	= 0	x\$11= \$			x\$22= \$	
INDEP. * 3	MINUS ** 3	= 0	x\$41= \$			x\$82= \$	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			+ \$135= \$			+ \$270= \$	
			TOTAL ADDIT. FEE \$		OR	TOTAL ADDIT. FEE \$	

- * If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".
 --- If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.
- WARNING:** "After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$_____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____
☐ Charge Account No. _____ the sum
 of \$ _____
 A duplicate of this transmittal is attached.

(Amendment Transmittal [8-19]—page 3 of 4)

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1985, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. 19-0590

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 19-0590

Reg. No.: 24,518

Tel. No.: (408) 297-9733

Customer No.: 003897

Thomas Schneck
SIGNATURE OF PRACTITIONER

Thomas Schneck
(type or print name of practitioner)

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(Amendment Transmittal [9-18]—page 4 of 4)